

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ELECTROLUX HOME PRODUCTS, INC.
EQUINOX INSURANCE COMPANY , INC.,)
FM INSURANCE COMPANY, LTD., and
XL INSURANCE COMPANY, LTD.)
Petitioners,)
) 1:11-cv-03377-CC
vs.)
)
MID-SOUTH ELECTRONICS, INC.,)
Defendant.)

ORDER

This matter comes before the Court on the Defendant's Motion to Quash Subpoenas Duces Tecum or for a Protective Order and Motion for Expedited Ruling (Doc No. 20). Copies of the subpoenas were filed with this court as an attachment to the Defendant's Memorandum of Law in Support of their motion (Doc. No. 20-3). The Petitioners filed a Brief in Opposition to Motion to Quash Subpoenas Duces Tecum (Doc. No. 21). The Defendant then submitted a Reply in Support of Motion to Quash Subpoenas Duces Tecum. (Doc. 22). Said motion was set for a telephone hearing before this Court on September 18, 2012 at 10 a.m. During said hearing, Joshua B. Sullivan and Ralph K. Strawn were present on behalf of the Defendant, Mid-South Electronics, Inc. Neal Rains and Jody Rhodes

were present on behalf of the Petitioners. After duly considering the pleadings and legal arguments made by the parties, in light of the applicable legal authority, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

1. The Motion to Quash Subpoena (Doc No. 20) is hereby granted on the ground that the requests are overly broad in seeking financial records and documentation relating and pertaining to non-parties.
2. The Petitioners have represented that Bank of America and Morgan Keegan have already produced records in response to the subpoena requests. The Petitioners are hereby **ORDERED and DIRECTED** to return any documents received in response to the subpoenas duces tecum to the same party which produced said documents together with a copy of this order, and shall also serve a copy of this order on all other parties receiving these subpoenas. In addition, the Petitioners are hereby **ORDERED and DIRECTED** to destroy any and all copies of same, and to further destroy any notes made and other information derived from these documents.
3. The Petitioners are hereby **ORDERED and DIRECTED** to confer with the Defendant to narrowly tailor its requests for documents and information before any new subpoenas are issued in this case.

DONE on this the 24th day of September, 2012.

s/ CLARENCE COOPER

U.S. DISTRICT JUDGE